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PATENT COOPERATION TREAT



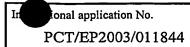


· INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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· INTERNAL	TIONAL PRELIMIN		ATION REPO	ORT
Applicant's or agent's file reference	(PCI Article	36 and Rule 70)		
31139P WO	FOR FURTHER AC			smittal of Inter ort (Form PCT/IPI
International application No. PCT/EP2003/011844	International filing dat 24 October 2003	• • •	Priority date (da 26. October	ny/month/year) r 2002 (26.10.2
International Patent Classification (IPC) or C07D 239/46				
CO1D 239140				
Applicant	DEGMA	~ ~		
	DEGUS	SA AG		
This international preliminary exar	mination report has been p	prepared by this Interr	national Preliminar	ry Examining Autl
and is transmitted to the applicant	according to Article 36.			
2. This REPORT consists of a total o				
This report is also accomparamended and are the basis for 70.16 and Section 607 of the	for this report and/or sheet	s containing rectifica	on, claims and/or on tions made before	drawings which hat e this Authority (s
These annexes consist of a		•		
 This report contains indications rel Basis of the report 	_	ns:		
- EX				
" 🗀	t of opinion with regard to	novelty inventive st	en and industrial a	nnlicahilitu
IV Lack of unity of in		novolty, involttivo st	op and medstrar a	ррпсаотку
	nt under Article 35(2) with mations supporting such si	regard to novelty, in	ventive step or inc	lustrial applicabili
		atement		
V1	the international application	\n.		
	ns on the international app			
VIII Certain observation	as on the international app	meation		
Date of submission of the demand		Date of completion o	of this report	
29 March 2004 (29.03	3.2004)	27 .	April 2004 (27	.04.2004)
Name and mailing address of the IPEA/EP	,	Authorized officer		
Parado Na Na				
Facsimile No.	i	Telephone No.		

Form PCT/IPEA/409 (cover sheet) (July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



I. 3	I. Basis of the report					
1.	With	regard to	to the elements of the international application:*	***		
	\boxtimes	the inte	ernational application as originally filed			
	\boxtimes	the desc	scription:			
		pages	1-9	as originally filed		
		pages	, file	d with the demand		
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		pages	1-9	as originally filed		
		pages	, as amended (together with any statemen			
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		pages	, filed with the letter of			
2.	the in	nternation e elemen	to the language, all the elements marked above were available or furnished to this Authority in the onal application was filed, unless otherwise indicated under this item. Into were available or furnished to this Authority in the following language	language in which		
	H		nguage of a translation furnished for the purposes of international search (under Rule 23.1(b)).			
	\vdash		nguage of publication of the international application (under Rule 48.3(b)).			
	Ш	the lan or 55.3	nguage of the translation furnished for the purposes of international preliminary examination (unc 3).	der Rule 55.2 and/		
3.	With	regard minary e	I to any nucleotide and/or amino acid sequence disclosed in the international application examination was carried out on the basis of the sequence listing:	, the international		
		contair	ined in the international application in written form.			
	\parallel		ogether with the international application in computer readable form.			
ļ	H		hed subsequently to this Authority in written form.			
	\vdash		hed subsequently to this Authority in computer readable form.			
		interna	statement that the subsequently furnished written sequence listing does not go beyond the ational application as filed has been furnished.			
			statement that the information recorded in computer readable form is identical to the written se furnished.	equence listing has		
4.		The an	mendments have resulted in the cancellation of:			
			the description, pages			
			the claims, Nos.			
			the drawings, sheets/fig			
5.		This rep	eport has been established as if (some of) the amendments had not been made, since they have been d the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**	n considered to go		
*	in th	acement . is report 70.17).	t sheets which have been furnished to the receiving Office in response to an invitation under Article rt as "originally filed" and are not annexed to this report since they do not contain amend.	e 14 are referred to ments (Rule 70.16		
**		•	ment sheet containing such amendments must be referred to under item 1 and annexed to this report.			

v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:
	citations and explanations supporting such statement

	I. Statement				
	Novelty (N)	Claims	1-9	YES	
	• • •	Claims		NO	•
	Inventive step (IS)	Claims	1-9	YES	
	,	Claims		NO	
	Industrial applicability (IA)	Claims	1-9	YES	
		Claims		NO	

2. Citations and explanations

This report makes reference to the following documents, which were cited in the international search report:

- D1: TRANTOLO ET Al: 'Inhibitors of Bacillus subtilis DNA
 Polymerase III. Influence of Modifications in the
 Pyrimidine Ring of Anilino- and
 (Benzylamino)pyrimidines' JOURNAL OF MEDICINAL
 CHEMISTRY, vol. 29, no. 5, 1986, pages 676-681,
 XP002269094 (mentioned in the application)
- D2: BOON W R: 'PTERIDINES. PART IV. DERIVATIVES OF 2:4DIAMINOPTERIDINE AND RELATED COMPOUNDS' JOURNAL OF
 THE CHEMICAL SOCIETY, CHEMICAL SOCIETY. LETCHWORTH,
 GB, 1957, pages 2146-2158, XP001153711 ISSN: 03681769

Novelty (PCT Article 33(2))

The present process is not described in the prior art (D1 and D2) and is therefore novel within the meaning of PCT Article 33(2).

Inventive step (PCT Article 33(3))

D1 and D2 describe processes for preparing 2-amino-4-

chloro-6-alkoxypyrimidines by reacting 2-amino-4,6-dichloropyrimidines with an alkoxide. D1 may be considered to represent the closest prior art.

The problem addressed by the present invention was that of providing a novel process for preparing 2-amino-4-chloro-6-alkoxypyrimidines.

The present process differs from those described in D1 and D2 in the use of a polar aprotic solvent and in the specific method of working up the raw product.

These specific reaction conditions are not suggested by the prior art and the present process therefore involves an inventive step within the meaning of PCT Article 33(3).